

No. SC-CV-03-10

NAVAJO NATION SUPREME COURT

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Timothy Nelson,  
Petitioner-Appellant,

v.

Initiative Committee to Reduce Navajo  
Nation Council, Office of the President,  
Joe Shirley, Jr.,  
Respondents-Appellees.

**ORDER GRANTING MOTION FOR LEAVE  
TO APPEAR AMICUS CURIAE**

Before, YAZZIE, Chief Justice, and GRANT and SHIRLEY, Associate Justices.

An appeal from the decision from the Office of Hearing and Appeals, Cause No. OHA-EC-002-09, Administrative Hearing Officer, Karen Bernally, presiding.

John Trebon, Flagstaff, Arizona for Appellant; and Albert A. Hale, Window Rock, Navajo Nation, for Appellees; James E. Fitting, Albuquerque, New Mexico for Amicus Curiae Eddie J. Arthur; Frank M. Scanez, Window Rock, Navajo Nation for Amici Curiae Ernest Yazzie, Leonard Chee, and Lee Jack; James W Zion, Albuquerque, New Mexico for Amici Curiae Milton Bluehouse, Sr., and Elouise Brown.

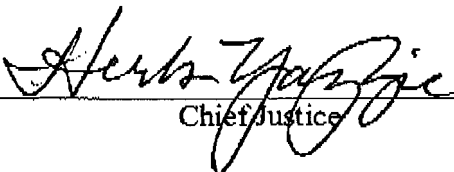
This matter comes before Court on the motion of Hada'a sidi, an unincorporated association for leave to file an amicus curiae brief. The motion is GRANTED.

This Court issued an Order on March 03, 2010 revising the briefing schedule and date of oral argument. The Order also requested supplemental briefs from the parties and amici on the impact of Resolution CJA-08-10 on this lawsuit. For the benefit of the new amicus curiae, the new schedule is as follows:

1. The Appellant's reply brief to Appellee's response brief shall remain as is. The reply brief shall be filed on March 09, 2010 at 5:00 p.m.
2. Appellant and Appellee shall file their supplemental briefs by 5:00 p.m., Friday, April 02, 2010.
3. Appellant and Appellee shall file their response briefs to the supplemental brief by 5:00 p.m., Friday, April 09, 2010.
4. The amicus brief originally set for March 05, 2010 has been changed to 5:00 p.m., Friday, April 02, 2010 and shall include, if any, the issue on the impact of the new legislation under Resolution CJA-08-10. Hada'a sidi filed its brief on March 02, 2010. Hada'a sidi may file a supplemental brief as to the impact of Resolution CJA-08-10 by April 09, 2010.
5. The amicus response by the Appellant and Appellee set for March 10, 2010 has been changed to 5:00 p.m., Friday, April 09, 2010.
6. There shall be no reply by either party.
7. The oral argument set for March 12, 2010 has been rescheduled to April 20, 2010 at 10:00.m. at Navajo Nation Museum, Window Rock, Navajo Nation.
8. The amicus brief, supplemental briefs and response briefs shall be limited to no more than thirty (30) pages.

A determination will be made by this Court at a later date as to whether the amicus curiae may present oral argument at the newly scheduled hearing of April 20, 2010.

Dated this 4<sup>th</sup> day of March, 2010.

  
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Chief Justice

*Louise Grant*

Associate Justice Grant

*Shirley*

Associate Justice Shirley